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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 4 of Security Council resolution 999 (1995) of 16 June 1995, in which the Council requested me to report to it every three months on the progress towards national reconciliation and on the operations of the United Nations Mission of Observers in Tajikistan (UNMOT). It provides an account of the activities of my Special Envoy for Tajikistan and of UNMOT since my report of 16 September 1995 (S/1995/799).

II. NEGOTIATING PROCESS

2. In my report of 16 September, I informed the Council that in indirect talks between the President of the Republic of Tajikistan, Mr. Emomali Rakhmonov, and the leader of the United Tajik Opposition, Mr. Abdullo Nuri, which were conducted through the good offices of my Special Envoy for Tajikistan, Mr. Ramiro Píriz-Ballón, the two Tajik sides signed a protocol on the fundamental principles for establishing peace and national accord in Tajikistan (S/1995/720, annex). Besides agreeing on the substance of the forthcoming negotiations, which consists of several groups of problems, the two sides also agreed to modify the format of inter-Tajik negotiations and to hold them in a continuous round, beginning on 18 September. However, the issue of the venue for these negotiations remained undetermined and it was agreed that this should be resolved by the sides through the good offices of my Special Envoy. The Government insisted that the talks be held at Ashkhabad, while the opposition wanted Tehran, Vienna or Almaty, but not Ashkhabad.

3. Although my Special Envoy continued his efforts, the stalemate persisted. The possibility of holding the talks in more than one venue was accordingly explored. In this double-venue scenario, the talks would either begin at Ashkhabad and continue at Vienna, Tehran or elsewhere, or vice versa. The task of pursuing this possibility was entrusted to Mr. Darko Silovic, Head of Mission of UNMOT, whom I had just appointed Deputy Special Envoy for Tajikistan, in order to provide him formally with the credentials to address the political aspects of the inter-Tajik talks. The Assistant Secretary-General for Peace-keeping Operations, Mr. Iqbal Riza, who was on an inspection tour of UNMOT, also took part in these efforts.

4. On 5 October, the Assistant Secretary-General and the Deputy Special Envoy had a series of meetings at Dushanbe with President Rakhmonov, Mr. Mahmadsaid Ubaidulloyev, First Deputy Prime Minister and the head of the government delegation at inter-Tajik talks, and Mr. Talbak Nazarov, Minister for Foreign Affairs. However, the Government maintained its position, continuing to insist on Ashkhabad, and gave no indication of a possible alternative solution. Prior to these meetings, the Assistant Secretary-General and the Deputy Special Envoy visited the opposition headquarters at Taloqan, but unfortunately no meetings took place as neither Mr. Nuri nor any of the other senior opposition representatives were there.

5. In late October, I used the opportunity of the special commemorative meeting of the General Assembly to discuss this question with President Rakhmonov and other heads of State, as well as with representatives of neighbouring States and those who had attended the inter-Tajik talks as observers. As a result of these and other initiatives, the Government of Turkmenistan invited the Tajik opposition to visit Ashkhabad for political consultations.

6. The deputy leader of the United Tajik Opposition, Mr. Akbar Turajonzodah, and his delegation visited Ashkhabad between 30 October and 2 November. They were received by President Saparmurat Niyazov of Turkmenistan and had several meetings with the Foreign Minister. After consultations with Turkmen authorities and with the Tajik opposition, I decided to use this occasion to try to obtain a decision on the venue of inter-Tajik talks. The Government of the Islamic Republic of Iran also actively supported these efforts. After negotiations with President Niyazov, at which my Deputy Special Envoy was also present, the Tajik opposition agreed in principle on Ashkhabad as the venue.

7. A statement was then issued by the Foreign Ministry of Turkmenistan, which, inter alia, noted that the delegation of the United Tajik Opposition agreed in principle to Ashkhabad as the venue of the continuous round of inter-Tajik dialogue and that consultations would continue on the date for the negotiations to start. In addition, the statement confirmed the readiness of Turkmenistan to become an observer in the inter-Tajik negotiations. The Government of Tajikistan, for its part, was kept fully aware of the developments at Ashkhabad, both through the presence there of Mr. Ubaidulloyev and through direct contacts between Presidents Niyazov and Rakhmonov. I should like to take this opportunity to express my appreciation for the Government of Turkmenistan's help in solving the venue problem and for its readiness to be an observer State at the forthcoming negotiations.

8. The Security Council, in a statement by its President on 6 November 1995 (S/PRST/1995/54), welcomed the planned convening of the continuous round of inter-Tajik talks at Ashkhabad and called upon the Tajik parties to begin them as a matter of urgency.

9. While there continue to be uncertainties about the venue of the talks following their opening at Ashkhabad, the parties nevertheless agreed to begin them on 30 November. At the first working plenary session on 7 December, both delegations made statements confirming their commitment to the cease-fire and to

their determination to work on finding viable solutions to the problems listed in the 17 August protocol.

III. MAINTENANCE OF THE CEASE-FIRE AND ACTIVITIES OF THE UNITED NATIONS MISSION OF OBSERVERS IN TAJIKISTAN

10. The delay in resuming the negotiations has been accompanied by an increase in hostilities in Gorny Badakhshan and in the areas of Garm and Tavildara. In addition, a conflict between two Tajik army brigades was a source of instability in the area of Kurgan-Tyube.

11. During the reporting period, UNMOT and the Joint Commission received 79 complaints of alleged violations of the Tehran agreement (S/1994/1102, annex I). The complaints submitted by the Government dealt mainly with the deployment of opposition fighters to the Garm, Tavildara and Gorny Badakhshan regions and attacks directed against government installations and personnel. The complaints submitted by the opposition were mainly about the deployment of the government troops to the Garm and Tavildara regions and about the detention of persons without charge and their treatment while in detention. Thirty-one investigations were carried out, 12 by the Joint Commission with the support of UNMOT and 19 by UNMOT alone. In 25 cases the available evidence was not sufficient to substantiate or disprove the allegations; in 6 cases violations were clearly established. Four of these were committed by the Government and two by the opposition.

12. In mid-September, the conflict between the First and Eleventh Tajik Army Brigades in the Kurgan-Tyube area (see S/1995/799, para. 15) culminated in a serious military confrontation, in the course of which a United Nations military observer was shot and killed on 18 September. In view of the situation prevailing in the area, UNMOT temporarily withdrew its team from Kurgan-Tyube. The situation returned to normal following intervention by the Government and withdrawal of elements of the two army brigades. The UNMOT team was re-established on 22 November, after assurances by the Tajik authorities that the trial of those responsible for the death of the military observer would take place in the near future.

13. Elements of the First and Eleventh Tajik Army Brigades were redeployed to the areas of Garm and Tavildara and, in mid-October, hostilities broke out in the Tavildara area between Tajik government forces and local fighters, who had been reinforced by opposition fighters redeployed from Gorny Badakhshan. In the course of the fighting, in which the Government employed aircraft and artillery, 54 government soldiers were taken prisoner by the opposition. On 28 November, the opposition released to their families 17 of the prisoners, all from Gorny Badakhshan. Clashes in the Tavildara area have continued and the situation has remained unstable. The deputy opposition leader and opposition co-chairman of the Joint Commission requested an investigation of the situation in Tavildara by the Joint Commission, with the participation of UNMOT. In response to that request, the Government raised concerns regarding security. Following discussions with the Tajik delegations currently meeting at Ashkhabad, the necessary security assurances were obtained and, on 6 December, members of the

Joint Commission and UNMOT travelled to the area to investigate the situation. Their report is being awaited.

14. In the Garm area, there were numerous attacks against State police and internal security personnel. On 17 September, UNMOT arranged a meeting between members of the Joint Commission and the opposition's field commander for the area. Despite an agreement to calm the situation, hostilities continued. During an attack on the State police and internal security headquarters in Garm on 8 November, the UNMOT team was compelled to leave its post nearby; the team was re-established on 13 November. The Government responded to this attack by shelling surrounding areas and reinforcing the State police in Garm. The Government has accused the opposition of having carried out the attacks in the Garm area, while the opposition leadership has denied any responsibility for them. UNMOT has not been able to confirm reliably the identity of the attackers.

15. UNMOT also received reports that armed groups were robbing villagers of their food and livestock. UNMOT has not been able to determine who carried out these acts, which are banned by the Tehran agreement.

16. The task of guarding the border in Gorny Badakhshan falls mainly on the Russian border forces, who are deployed along the Pyanj river and at the entrances to the valleys formed by its tributaries. In this area there has been increased friction between the Russian border forces and the so-called Self-Defence Forces (SDF), which are part of the opposition. The field commanders of the SDF and of the Islamic Revival Movement threatened reprisals against the Russian border forces for alleged harassment of civilians at checkpoints. On 21 October, at a checkpoint near Buni, one SDF fighter was killed by the Russian border forces. On a number of occasions, the Russian border forces fired across the border into Afghanistan for the stated purpose of preventing illegal border crossings by persons believed to be either opposition fighters or drug smugglers.

17. A serious incident occurred on 10 October at Shipad, when nine soldiers of the Russian border forces were killed and their truck burned. According to the Russian border forces, the attack was carried out from Afghan territory across the river. On the invitation of the Russian border forces, UNMOT participated in an inspection of the site of the incident. The UNMOT team saw five bodies that were burned beyond recognition; it also saw the burned remains of a truck and some food supplies. According to the Russian border forces there was a prolonged exchange of fire in which the attackers used automatic weapons and rocket-propelled grenades. The team found a considerable number of shell casings of small-calibre rounds that had been fired by the Russian border forces. It also looked for grenade fragments and impacts from incoming fire but found none. UNMOT conveyed this information to the Joint Commission, as well as the Russian border forces.

18. The Russian border forces seldom reported incidents to the Joint Commission or to UNMOT, although they issued almost daily reports through the Tajik and Russian media about cross-border infiltration by opposition fighters and clashes with them. UNMOT has been unable to confirm these reports, the majority of which have been denied by the opposition commanders in the area. As for the

incident of 10 October described in the preceding paragraph, the commander of the Russian border forces held a press conference at Dushanbe on 28 November, at which he presented two men who said that they had participated in the attack on the Russian border forces.

19. In contrast to the situation in Gorny Badakhshan, the situation along the border improved in the other sectors (Pyanj and Moskovskiy), where the number of firing incidents decreased. The sporadic firing that occurred appears to have been connected with smuggling. However, from the beginning of December, the Russian border forces complained about several rocket attacks against one of their positions in the Moskovskiy district and requested UNMOT to investigate them. Repeated attempts by UNMOT to do so failed because the local Russian border forces commander did not allow the United Nations observers to enter the position and refused to meet with them. The matter was subsequently discussed with the delegation meeting at Ashkhabad and on 7 December members of the Joint Commission and UNMOT travelled to the area to carry out an investigation. At the time of writing, the investigation had not yet been concluded.

20. In connection with paragraph 2 (c) of the Tehran agreement, the opposition filed numerous complaints regarding abductions, arrests, unlawful detention, long and illegal imprisonments, denial of the right to defence or communication, and murder. The Government submitted 33 reports of murder, rape, harassment, abuse, beatings, hostage-taking and threats. As anticipated one year ago (see S/1994/1363, para. 20), it is often quite difficult in these cases to distinguish between political and criminal acts. However, the number of complaints, which by no means cover all such incidents, indicates the extent to which those provisions of the Tehran agreement pertaining to the security and rights of individuals remain unfulfilled. One problem in dealing with these cases arises from contradictions between the Tehran agreement and the Tajik penal code, which qualifies any act directed against the existing socio-political and economic system a criminal offence. The authorities therefore tend to treat even non-violent opposition as a crime to be suppressed, which the opposition in turn regards as a violation of the Tehran agreement, prompting its members to meet force with force. It should be noted that the functioning of political parties and political movements is on the agenda of the current round of inter-Tajik negotiations. The Government has not yet declared the general amnesty for opposition members to which it committed itself during the fourth round of negotiations in May/June at Almaty.

A. Joint Commission

21. The Joint Commission continued to work in its expanded composition of 14 members, 7 from each side. Four of its members were stationed more or less permanently at Gorny Badakhshan, two at Khorog and two at Vanj. The purpose was to have representatives on the ground in this remote area in order to react more speedily to events, but the Joint Commission made little use of their presence. The delay in the negotiations and the rising tension between the two parties adversely affected the functioning of the Commission, which was increasingly used by both sides as a forum for exchanging their claims and positions. The work of the Commission continued to be hampered by lack of office space, logistic support and security for its opposition members, all of which are to be

provided by the Government. There have been no new contributions to the voluntary trust fund established to support the Joint Commission. The Commission held two rounds of talks under the auspices of the International Committee of the Red Cross (ICRC), with the support of UNMOT, to discuss the issue of prisoners of war.

22. At the Moscow meeting in April 1995, both sides had agreed to provide regular access by the members of the Joint Commission to mass media not less than twice a month (see S/1995/337, annex). A television feature on its work was recorded on 29 August 1995 but never broadcast because of objections by the government authorities. Finally, on 21 November, the first press conference was held in which members of the Joint Commission and UNMOT participated. It was given wide publicity in national and international mass media. On 22 November, a 30-minute special broadcast was aired on Tajik television in which the two Co-Chairmen of the Joint Commission and the Head of UNMOT explained the role and work of the Joint Commission and the functions of UNMOT.

B. Liaison

23. During the reporting period UNMOT continued to maintain close contacts with the parties to the conflict. The Head of Mission and other senior officers had regular contacts with high government officials. The UNMOT radio link and visits to the opposition headquarters at Taloqan, northern Afghanistan, continued to be useful. There were also regular contacts with government officials and opposition commanders at the field level.

24. UNMOT also maintained contact with the collective peace-keeping forces of the Commonwealth of Independent States (CIS), who on a number of occasions assisted UNMOT with helicopter transport. Liaison was also maintained with the Russian border forces. UNMOT cooperated closely with the mission of the Organization for Security and Cooperation in Europe (OSCE) and with United Nations agencies, humanitarian organizations and non-governmental organizations.

C. Organizational aspects

25. As at November 1995, UNMOT had an overall strength of 87, including 40 military observers from Austria (6), Bangladesh (7), Bulgaria (4), Denmark (4), Jordan (6), Poland (2), Switzerland (3), Ukraine (3) and Uruguay (5) and 47 civilian staff, of whom 17 were recruited internationally and 30 locally. I am seeking budgetary authority for a slight strengthening of the Mission, as indicated in my last report (S/1995/799, para. 21) and supported by the Security Council (S/PRST/1995/54). Mr. Darko Silovic continued as Head of Mission. Brigadier-General Hasan Abaza (Jordan) continued as Chief Military Observer. In addition to its headquarters at Dushanbe, UNMOT maintained teams at Garm, Kalaikhumb, Khorog, Kurgan Tyube/Moskovskiy, Pyanj and Vanj (see attached map). I am still awaiting the response of the Afghan authorities regarding the modalities for the establishment of the liaison post in Taloqan authorized by the Security Council (S/PRST/1995/54).

IV. FINANCIAL ASPECTS

26. The General Assembly, by its resolution 49/240 of 31 March 1995, appropriated the amount of $10,044,200 gross for the continued operation of UNMOT for the period from 27 April 1995 to 30 June 1996. This amount is to be assessed at the rate of $717,400 gross per month, subject to the decision of the Security Council to extend the mandate of the Mission beyond the period authorized by the Council in its resolution 968 (1994). Therefore, should the Council decide to extend the mandate of UNMOT for a further period of six months, as I recommend in paragraph 32 below, the costs for maintaining the operation, based on the existing strength and responsibilities, would be $4,304,400 gross. In addition, funds for the strengthening of the Mission as authorized by the Security Council in its presidential statement of 6 November (S/PRST/1995/54) will be sought from the Assembly.

27. As at 30 November 1995, the total of outstanding assessed contributions to the Special Account for UNMOT amounted to $1,168,930, which represents some 14 per cent of the assessment for the Mission since its inception. The total outstanding assessed contributions for all peace-keeping operations totalled $2 billion.

V. ECONOMIC AND SOCIAL ACTIVITIES OF THE UNITED NATIONS SYSTEM

28. As this is the first time that I report to the Security Council on this aspect of the United Nations operations in Tajikistan, it is worth recalling United Nations involvement there since the autumn of 1992, when the Department of Humanitarian Affairs of the Secretariat fielded a mission to assess the country's emergency humanitarian requirements. A representative of the Office of the United Nations High Commissioner for Refugees (UNHCR) was made the coordinator of humanitarian assistance in Tajikistan and UNHCR began to assist the repatriation and integration of more than 700,000 internally displaced persons and over 60,000 refugees. Since then, consolidated appeals were issued in 1993, 1994 and 1995. Approximately $64 million was contributed for United Nations humanitarian, relief and development programmes.

29. Initially, most relief and humanitarian assistance was focused on the southern province of Khatlon, which was most affected by the civil conflict. With a gradual retargeting of assistance to include other areas of the country, and with the mitigation, to a large degree, of the humanitarian crisis, UNHCR is now in the process of scaling down its operations. The vast majority of internally displaced persons and refugees have been successfully resettled and, as a consequence, certain programmes and activities launched by UNHCR have been handed over to other agencies (i.e. human rights monitoring to OSCE, housing and reconstruction to foreign non-governmental organizations and development activities to the United Nations Development Programme (UNDP)). It is not intended to issue any further consolidated humanitarian appeals.

30. Of the other United Nations agencies active in Tajikistan, the United Nations Children's Fund (UNICEF), the World Health Organization (WHO) and UNDP have been primarily involved in providing relief, rehabilitation and technical cooperation. Because of persistent food shortages, the World Food Programme

(WFP) continues its assistance to vulnerable groups. In October 1995, Tajikistan became a member of the Food and Agriculture Organization of the United Nations (FAO) and has become eligible for technical assistance from the United Nations system to develop its agricultural sector.

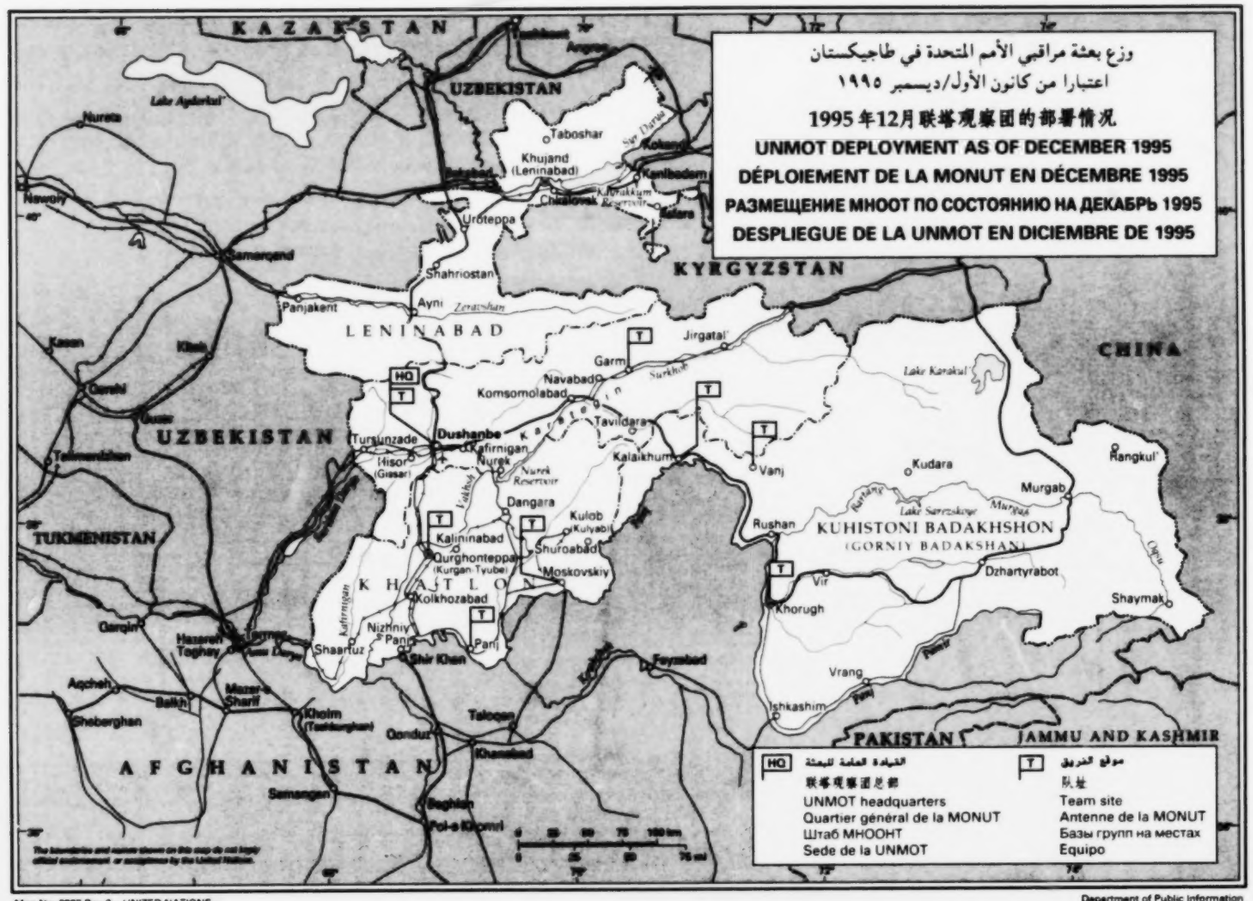
31. In addition, bilateral and multilateral support for development activities and food assistance is expected to continue. Since the Tajik economy continues to decline and reform measures have been slow to take hold, the immediate outlook remains bleak, thus underscoring the need for continued assistance. International financial institutions are also negotiating large-scale assistance to the country. The International Monetary Fund (IMF) expects to establish an office in Tajikistan before the end of 1995, and the World Bank, in cooperation with UNDP, is preparing a priority assessment of technical cooperation requirements.

VI. OBSERVATIONS

32. I cannot but be concerned that one year has passed since the establishment of UNMOT and that progress towards the resolution of the conflict has been so slow. The deterioration of the situation on the ground is equally worrying. I am nevertheless encouraged that the parties have now resumed negotiations on the basis of the August agreement. The protocol on the fundamental principles for establishing peace and national accord in Tajikistan signed by the President of Tajikistan and the leader of the opposition on 17 August (S/1995/720, annex) will serve as an important framework for the ongoing negotiations on a comprehensive peace agreement. I therefore propose that the Security Council extend the mandate of UNMOT for another six months.

33. While I note with satisfaction that the vast majority of internally displaced persons and refugees have been successfully resettled, it is a cause for regret that delays continue to occur in the implementation of other important confidence-building measures agreed upon during the fourth round of inter-Tajik talks at Almaty. During this reporting period there has also been an increase in military activities and incidents and a general rise of tension on the ground. I call upon all concerned to cooperate more closely to stem this tide. In that respect, I welcome the support the members of the Security Council have given to the proposal contained in my last report for the strengthening of UNMOT and call upon Afghan authorities and the United Tajik Opposition to facilitate the arrangements that will permit the establishment of an additional liaison post at Taloqan.

34. Above all, however, I call upon the Tajik parties to seize the opportunity of the newly convened talks at Ashkhabad as a means of restoring peace and national accord in their country, which has already seen such tragic loss of life and livelihood. The support of all concerned will be needed for this important effort. I particularly appreciate that given by the neighbouring and other observer States.



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